

## TENNESSEE DEPARTMENT OF HUMAN SERVICES

### SUMMARY OF LICENSING REQUIREMENTS FOR FAMILY CHILD CARE HOMES

This summary is intended as a guide for parents of children in family child care homes. It outlines some of the requirements child care agencies must meet in order to be licensed. **The purpose of licensing is to protect your child.** The Department of Human Services is legally responsible for licensing family child care homes with 5 or more children. Questions about these requirements or concerns about a home's compliance should be referred to the local DHS office. You may ask your child care agency to see the complete set of family home rules or you can access the rules through the Department's website at: <http://tn.gov/humanservices/topic/child-care-services>.

#### Administration

- Children in child care shall be at least six weeks old.
- This summary shall be given to parent(s) of each child enrolled.
- Specific policies are required to be in written form.
- A policy statement signed by caregiver and parent shall be on file.
- Parents shall be permitted access to their children and shall be informed in advance of removal from premises.
- The following records shall be kept:
  - Three recommendations for each caregiver.
  - adult health records.
  - child health records
  - daily attendance records.
  - children's records containing identifying and emergency information and a parent-caregiver communication plan.
- A child's and family's privacy and confidentiality shall be protected.
- A current license shall be posted conspicuously.
- All agencies will undergo an evaluation prior to the expiration of their license and be required to post a report card that outlines the results of the evaluation.
- General liability and medical payment insurance coverage is required on the operations of the facility.
- Written documentation that the parent performed an on-site visit to the agency to review the agency's facility and child care policies & practices prior to enrolling the child (not required for children of homeless families).
- Children who are homeless or in state custody may receive care for up to thirty (30) days without documentation of immunizations.
- Written expulsion policy clearly shared with parents and staff.

#### Staff

- Any person identified as perpetrator of abuse shall not have contact with children in the home.
- All caregivers shall be trained in child abuse detection/prevention.
- The primary caregiver shall:
  - Be 18 or older.
  - Be able to read and write English.
  - Complete pre-service and 4 hours of in-service training.
  - Not be employed at any other occupation during child care hours.
- An adult shall be present and supervising at all times.
- Volunteers shall not be used to meet classroom adult:child ratios.
- The total number of children with one caregiver shall not exceed 7.
- Adult:child ratios shall be one of the following:
  - 1:7 (no more than 4 children under 2)
  - 2:7 (if more than 4 children under 2)
- An additional caregiver is required for field trips off premises or special care.
- Ratio Chart:

Option	Group Size & Ages	Caregivers Required
A	More than 7 children (including related children under age 9), no more than 4 under age 2	2
B	More than 7 children (including related children under age 9), with more than 4 under age 2	3

- Substitutes providing services for 36 or more hours in a calendar year must have a physical and a criminal background check.

- Criminal background checks are required (at least every five years) for employees who have contact with children and anyone 15 or older who lives in the home.
- Pre-service training for all staff prior to assuming duties.
- Ongoing training required in ten (10) specific health and safety topics.

### **Equipment**

- Equipment shall be well made and safe.
- There shall be equipment for:
  - Infants and toddlers.
  - Children with special needs.
  - School age children.
- Outdoor equipment shall be:
  - Placed to avoid accidents.
  - Securely anchored.
  - Placed over resilient surfaces.
  - At least 6 feet away from retainer structures.

### **Program**

- The daily program shall include some of the following:
  - Reading to and talking with children.
  - Art, music, and dramatic play.
  - Age-appropriate participation in home-type activities.
  - The daily schedule shall be posted.
  - Children shall be allowed to choose some of their own activities; others shall be planned by the caregiver.
  - Children shall not be confined to one room unless that room has 30 square feet per child.
  - TV/videos shall be limited to 2 hours per day and to children's shows. Other options shall be available.
  - All children shall play outside daily except in extremely bad weather.
  - Discipline shall be:
    - Reasonable and in terms of the child's understanding.
    - Positive and encouraging of good behavior.
  - Discipline shall not be:
    - Shaming, humiliating, frightening or injurious.
    - Related to food, rest, toilet training, or physical punishment.
  - Preschool children shall have a reclining rest period, according to individual needs.

- School-age children shall be allowed to nap but not forced to do so.
- Children under 15 months and unable to walk shall have their own crib or playpen for napping; sleeping infants shall be checked every 30 minutes.
- Older children shall have something soft and at least two inches thick to sleep on.
- All children shall have their own clean sheet and coverlet.
- Children shall be allowed to get up after a reasonable rest period.
- Toilet training shall not be started until the child:
  - Has been in the child care home long enough to feel comfortable.
  - Is able to understand, to do what is asked, and to let his/her need to use the bathroom be known.
- Children shall not be made to sit on the potty more than 5 minutes.
- Children shall be diapered or cleaned when needed.
- For ages three through school-age instruction in personal safety must be offered annually.
- The facility is required to notify parents regarding the personal safety curriculum that is being used.

### **Health & Safety**

- Children shall be age-appropriately immunized before admittance to child care.
- If immunizations are not current or continued, the child will not be allowed to remain in child care.
- Records of children with disabilities shall contain a physician's statement identifying the condition and giving special instructions for that child's care.
- Children under 31 months shall have a physical examination prior to admission to child care.
- Immunization records shall be on file in the child care home.
- Accidents and injuries shall be recorded.
- Parents and the local health department shall be notified of outbreaks of communicable diseases.
- Medications and drugs shall not be administered without parental instructions and shall be charted as given, and containers shall be labeled and stored properly.

- Caregivers have a physical examination before beginning work.
- An updated statement of caregiver's physical health shall be obtained every third year.
- A statement of caregiver's mental or emotional health may be required when deemed necessary by the Department.
- Caregivers shall not smoke while physically interacting with children; parent shall be informed of smoking in the home.
- Caregivers shall use prescribed infection control methods.
- The primary caregiver shall have pediatric CPR and first aid training.
- Home shall have a working phone.
- A child sexual abuse prevention program shall be presented to children ages 3 and above.
- Suspected abuse/neglect shall be reported immediately.
- Primary caregivers shall be prepared for disasters.
- Firearms and other deadly weapons or tools shall be made inaccessible to children.
- Swimming pools must comply with environmental sanitation regulations and wading pools must be approved by the environmentalist.
- Pets and children shall not be together on a regular basis.

### **Transportation**

- When transportation is provided:
- The driver shall be licensed.
- Driver must submit to drug screening.
- Vehicles designed to carry 10 or more inspected by Department of Safety annually.
- Identifying signage required on vehicles used for transportation.
- General liability and medical payment insurance coverage required for injuries of children being transported.
- Children shall not be left alone in the vehicle.
- Staff shall use passenger log to take roll during transportation.
- Passenger log shall be reconciled with attendance records.
- Driver or caregiver shall conduct physical walk through and inspection of vehicle after unloading the last child.
- Additional staff person shall also verify the reconciled log and conduct physical walk through and inspection.

- There shall be a plan for emergency transportation.
- Car seats and/or belts required for children according to age and weight of the child.
- Children must not spend more than 45 minutes traveling one way.
- Children are not allowed to ride in the floor.
- Firearms shall not be stored in the vehicle.

### **Food**

- Prescribed food patterns shall be followed so that children receive adequate nourishment.
- Infant diets and other special diets shall be prepared as prescribed by the physician.
- Weekly menus shall be posted.
- These hygiene practices shall be followed:
  - Adults and children shall wash their hands before handling food.
  - High chairs, tables and floors under them shall be clean.
  - Napkins, forks, or spoons shall be provided.
  - Infant requirements:
  - Bottles shall not be propped or given to children who are lying flat.
  - Children able to sit in a high chair shall be allowed to feed themselves at least part of the meal.
  - Formula and food from home shall be labeled with the child's name and placed in the refrigerator.
  - Opened baby food jars shall not be used.
  - Solid foods shall not be given in bottles or infant feeders.
  - Weaning shall be started only after communication with parent.
  - General:
    - Servings shall be adequate to meet children's need.
    - Food, including dessert, shall not be forced or withheld.

### **Physical Facilities**

- The home has passed fire safety and environmental (health) inspections.
- The home shall have 2 exits to the outside.
- The home shall not share a building used for other purposes which would be hazardous to children or limit outdoor play.

- All areas of the premises shall be well-maintained, non-hazardous, and free of animal waste.
- Diapering areas shall be as close to a sink as possible, but not in the kitchen.

### **Care of Children With Disabilities**

- In addition to the preceding standards, if children with disabilities are cared for, the following requirements shall be met. These requirements apply to staffing, grouping, equipment, program, health, food, and physical facilities.
  - Children enrolled in a child care home shall receive the same care and participate in the same program activities as their peers with adaptations to enable them to participate.
  - Adaptations to the environment shall be directed toward normalizing the lifestyle of the child with a disability by helping him/her become independent and develop self-help skills.
  - Efforts to provide specialized services (e.g. speech/hearing therapy, physical therapy, psychological evaluation, or services for the mentally retarded) shall be documented in the child's record. Any information exchange regarding these services shall also be documented.
  - The home shall have individualized evacuation plans for disabled children and they shall be practiced monthly.

**You can access the Department's website at:**

<http://tn.gov/humanservices/topic/child-care-services>

**A wealth of child care information can be found on the Department's website.**

**You can:**

- Learn more about the rules
- Learn more about the types of regulated care
- Locate a child care provider
- Learn more about the Report Card and Star Quality Program
- Locate the local child care licensing office
- Review the current personal safety curriculum
- Read about new initiatives

- Locate the nearest child care certificate office
- Find info on choosing child care
- Locate a resource and referral center

**And much more!**

### **Report Card & Star Quality Program**

<http://tnstarquality.org>

### **Child Care Resource & Referral Centers**

**Currently, there are eight CCR&R centers located throughout the state. The centers help parents find the type of care that is best for their child or children. These community resources also give providers technical assistance to better serve the children in their care. Contact information for the CCR&R centers can be found on the Child Care Services website.**

### **Child Care– Complaint Hotline**

**NASHVILLE AREA: 615-313-4820  
LONG DISTANCE: 1-800-462-8261**

**If you have a concern about an existing child care agency or wish to report an illegal operation you can call the Department's complaint hotline.**

### **Department of Children's Services Report Child Abuse or Neglect Hotline 1-877-237-0004**

**Information about child health, education, and development as well as available state services can be found at:**

<https://www.kidcentraltn.com/>